IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.GIRI

TUESDAY, THE 27TH NOVEMBER 2007 / 6TH AGRAHAYANA 1929

WP(C).No. 32453 of 2007(L)

PETITIONER:

BALAKRISHNAN N.P.,
NADUVILAKANDY HOUSE,
IYYAD P.O., UNNIKULAM,
KOZHIKODE DISTRICT.

BY ADV. SRI.R.K.MURALEEDHARAN

RESPONDENTS:

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1. THE DISTRICT MEDICAL OFFICER,
KOZHIKODE.

2. DISTRICT EMPLOYMENT OFFICER,
KOZHIKODE.

3. EMPLOYMENT OFFICER,
OFFICE OF THE EMPLOYMENT EXCHANGE,
BALUSSERY.

4. SULOCHANA K.K., NENDADIVERIPPIL HOUSE,
LIGI NIVAS, P.O.CHEVAYOOR-17.

5. SHANTHA M.T., MUTHUVALLATHAZHATH,
CHERUPA P.O., KOZHIKODE.

Addl. 6.GOVT. OF KERALA, REP.BY SECRETARY,
HEALTH & FAMILY WELFARE DEPARTMENT.

(6TH RESPONDENT IMPLEADED AS PER ORDER IN
I.A.15548/2007 dtd. 27.11.2007

BY GOVT.PLEADER SRI.BIJOY CHANDRAN

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 27/11/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

V.GIRI, J.

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W.P.(C)No.32453 of 2007

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Dated this the 27th day of November 2007

JUDGMENT

The petitioner registered his name in the third respondent Employment Office as early as in 1975. He was sponsored by the third respondent for selection to the post of a Part-time Sweeper conducted by the District Medical Officer, Kozhikode in 2006. Petitioner was not included in Ext.P2 list. Subsequently the third respondent sponsored the names of other persons for another selection conducted by the first respondent. According to the petitioner, he was not included in the said list though on the day on which the said requisition was sent, he had not crossed the age of `*50*'. Learned counsel for the petitioner submits that some of the persons selected had crossed the age of 50. He challenges Exts.P2 and Ext.P3 select lists.

2. After filing of the writ petition, the petitioner has brought his grievances to the notice of the government under Ext.P4. Specific reference is made to the fact that on the date on which the third respondent had forwarded the list of eligible persons, on 26.9.2006, the petitioner had not crossed the age of `*50*' and

therefore he should also have been included in the list of sponsored candidates sent by the Employment Officer. Other allegations have been raised as well.

3. In my view the petitioner's grievance requires to be seriously considered by the government. If it is found that the petitioner's name was irregularly excluded from the list of sponsored candidates, the government shall take remedial action in this regard, keeping in mind the fact that the age of retirement of the Part-time Sweepers is *70*.

4. In the circumstances, after hearing the learned Government Pleader also, the writ petition is disposed of directing the government (additional 6th respondent) to look into Ext.P4, hear the petitioner and take a decision within a period of two months from the date of receipt of a copy of this judgment.

V.GIRI, JUDGE

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